

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CVC, INC.,

Plaintiff,

v.

ORIDION CAPNOGRAPHY, INC.,

Defendant.  
-----X

**RULE 7.1 STATEMENT**

*ECF CASE*

**CIV. ACTION NO.:**

*07 CV 4561*

**JUDGE CEDARBAUM**

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, the undersigned attorney of record for plaintiff, CVC, INC., ("CVC") hereby certifies that there is no parent corporation nor publicly held corporation that owns 10% or more of the stock of plaintiff, CVC, INC., ("CVC").

Dated: New York, NY  
May 30, 2007

PHILLIPS NIZER LLP

By:

*Henry A. Lowet*

Henry A. Lowet (HL 1957)  
HLowet@PhillipsNizer.com

*Attorney for Plaintiff*  
666 Fifth Avenue  
New York, NY 10103  
(212) 977-9700

MAY 30 2007